

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47954 of 2023

Arising Out of PS. Case No.-386 Year-2021 Thana- GHOSI District- Jehanabad

PIYUSH KUMAR Son of Ganesh Sharma Resident of village - Dariyapur,
P.S. - Ghosi, Distt. - Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Babli Kumari Wife of Piyush Kumar Resident of village - Dariyapur, P.S. - Ghosi, Distt. - Jehanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shivendra Prasad, Advocate

For the Opposite Party/s : **Mr.Rana Randhir Singh, APP**

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 19-08-2023 1. Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in connection with Ghosi Case No.386 of 2021, registered for the offences punishable under Sections 498(A) and 34 of the Indian Penal Code.

3. The case of the informant, in brief is that, her marriage was solemnized with the petitioner in the year, 2016, whereafter she had gone to her matrimonial home, however, subsequently in the year 2021, the petitioner started demanding a sum of Rs.10,00,000/- from the informant by way of dowry and on account of non-fulfillment of the same, she was tortured,



assaulted and finally ousted from her matrimonial home.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and he is having a clean antecedent. The learned counsel for the petitioner has further submitted, by referring to paragraph no.12, of the present petition, that the petitioner is ready and willing to keep his wife i.e. the opposite party no.2-complainant, with due honor and dignity and for the said purposes, he is also ready to participate in mediation proceedings, if any, to be initiated by the learned Court below, in order to resolve the matrimonial disputes amicably.

5. *Per contra*, the learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, I deem it fit and proper to direct the petitioner to surrender before the learned Court of S.D.J.M., Jehanabad, in connection with Ghosi Case No.386 of 2021, within a period of four weeks from today, whereupon the petitioner shall be admitted to the privilege of provisional bail on the very same day and then the learned court below shall issue notice to the



complainant-wife and hold mediation proceeding in between the petitioner and his wife with a view to settle the matrimonial disputes between them amicably.

7. The learned court below is directed to take a final call with regard to either confirming the provisional bail to be granted to the petitioner or revoking the same subject to outcome of the mediation proceeding as also considering the case of the petitioner on merits, without being prejudiced by the dismissal of his bail petition by the learned court below.

8. In the meantime, for a period of four weeks from today, no coercive steps shall be taken against the petitioner herein.

9. The present petition stands disposed off on the aforesaid terms.

(Mohit Kumar Shah, J)

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